

FORM PTO-1390  
(REV 10-2000)

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

CU-2655 RJS

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**09/936747**INTERNATIONAL APPLICATION NO.  
PCT/EP00/01829INTERNATIONAL FILING DATE  
03 March 2000PRIORITY DATE CLAIMED  
12 March 1999

**TITLE OF INVENTION**  
USE OF NANOSCALAR WATER-SOLUBLE  $\beta$ -(1,3) GLUCANS

**APPLICANT(S) FOR DO/EO/US**  
Christian KROPF et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
  4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
    - b. ☒ has been communicated by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ have been communicated by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 16 below concern document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  14. ☐ A substitute specification.
  15. ☐ A change of power of attorney and/or address letter.
  16. ☐ Other items or information:

Express Mail Label No.:

EL698182363US

09/936747

PCT/EP00/01829

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =		X \$18.00
Independent claims	- 3 =		X \$80.00

\$

\$

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00

\$

**TOTAL OF ABOVE CALCULATIONS =**

\$ 860.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

\$ 430.00

**SUBTOTAL =**

\$

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

+

**TOTAL NATIONAL FEE =**

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

+

**TOTAL FEES ENCLOSED =**

\$ 430.00

Amount to be

refunded:

charged:

\$

\$

a. ☒ A check in the amount of \$ 430.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 12-0400 in the amount of \$ 430.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 12-0400. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Ladas & Parry  
224 South Michigan Avenue  
Suite 1200  
Chicago, Illinois 60604  
(312) 427-1300

September 12, 2001

SIGNATURE:

Richard J. Streit

NAME

25765

REGISTRATION NUMBER

09/936747

JC16 Rec'd PCT/PTO SEP 17 2001

DOCKET: CU-2655

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

APPLICANT: Christian KROPP et al )  
)  
TITLE: USE OF NANOSCALAR WATER-SOLUBLE )  
B-(1,3) GLUCANS )  
)  
COMPLETION OF PCT/EP00/01829 fild 03 March 2000 )

The Commissioner for Patents  
BOX FILING DATE  
Washington, D.C. 20231

RECEIVED

15 NOV 2001

International Division

**STATEMENT ACCOMPANYING NEW U.S. PATENT APPLICATION**  
**TO ACCORD FILING DATE OF SEPTEMBER 12, 2001 UNDER 35 USC 21(a)**

Dear Sir:

The transmittal letter and contents attached herewith for a new U.S. patent application was attempted to be filed via Express Mail Post Office to Addressee on September 12, 2001 under Express Mail Label No. EL698182363US. On September 12, 2001, the undersigned attempted delivery to the U.S. Patent & Trademark Office by the U.S. Postal Service at their station located at 211 South Clark Street in Chicago, Illinois by Express Mail under 37 CFR 1.10. The U.S. Postal Service refused to accept the correspondence in view of the flight suspension by the FAA following the tragic events in New York City and Washington, D.C. on September 11, 2001.

Accordingly, the transmittal letter and contents attached herewith for a new U.S. patent application are being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to The Commissioner for Patents, BOX FILING DATE, Washington, D.C. 20231 on September 12, 2001.

The Patent Office is respectfully requested to grant this new application a filing date of September 12, 2001 under 35 USC 21(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

September 12, 2001

Date

A handwritten signature in black ink, appearing to read "Richard J. Streit", written over a horizontal line.

Richard J. Streit, Reg. 25765  
c/o Ladas & Parry  
224 South Michigan Avenue  
Chicago, Illinois 60604  
(312) 427-1300